

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DAVID CRUZ,</b>	:	<b>CIVIL ACTION NO. 1:08-CV-0829</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>UNITED STATES OF AMERICA,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 20th day of August, 2008, upon consideration of plaintiff's application (Doc. 17) to proceed *in forma pauperis* on appeal, and of the financial affidavit submitted in support thereof, which certifies that plaintiff has \$327.12 on deposit in his prisoner trust fund account, (see Doc. 20), it is hereby ORDERED that the application (Doc. 17) is CONSTRUED as a motion to proceed without full payment of fees and costs and is GRANTED as so construed. See FED. R. APP. P. 24(a)(1) ("[A] party to a district-court action who desires to appeal *in forma pauperis* must file a motion in the district court. . . ."). Plaintiff shall be permitted to proceed *in forma pauperis* on appeal.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge